

09-1-25

AF/1603  
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DOCKET NO.: JJPR-0019

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**Mattias Luukkonen, Ashlee Moses, Klaus  
Frueh, Jay A. Nelson, Yolanda Corona  
Bell, Michael Heinrich, Kenneth Simmen**

Confirmation No.: **6102**

Application No.: **09/921,512**

Group Art Unit: **1631**

Filing Date: **August 1, 2001**

Examiner: **Carolyn L. Smith**

For: **GENE EXPRESSION PROFILE FOR KSHV INFECTION AND METHODS  
FOR TREATING SAME**

EXPRESS MAIL LABEL NO: EL997980104US  
DATE OF DEPOSIT: August 31, 2004

EL997980104US

MS Amendment  MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REPLY TRANSMITTAL LETTER**

- A Preliminary Amendment.
- An Amendment Responsive to the Office Action Dated June 25, 2004.
- An Amendment Supplemental to the Paper filed .
- A Substitute Specification (pages 1 - ) in clean form.
  - A substitute specification (pages 1 - ) with markings.
- An Abstract is enclosed.
- replacement sheets of drawings are enclosed comprising figures .
- Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.
- Petition is hereby made to accept drawing(s)/photograph(s) in this case.

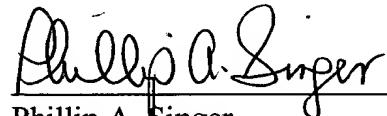
- Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- A Certified Copy of each of the following applications: \_\_\_\_\_ is enclosed.
- An Associate Power of Attorney is enclosed.
- Information Disclosure Statement.
  - Attached Form 1449.
  - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- A Terminal Disclaimer is attached.
- Appendices as follows:
- Other: Supplemental Declaration and Power of Attorney for Klaus Frueh; Exhibit 1: "Mechanism of Paclitaxel Activity in Kaposi's Sarcoma," Sgadari et al., in *Journal of Immunology*, 2000, 165: 509-517
- No Additional Fee is Due.**
- Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as \_\_\_\_\_.
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	2	24	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	1	14	0	\$43 EACH	\$	\$86 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$0
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1005	\$	\$2010	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	\$0
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$0

- A check in the amount of \$ .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- Please charge Deposit Account No. 23-3050 in the amount of .00. This sheet is attached in duplicate.
- Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of \_\_\_\_\_ to and through \_\_\_\_\_ comprising an extension of the shortened statutory period of \_\_\_\_\_ month(s).

The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: August 31, 2004



Phillip A. Singer  
Registration No. 40,176

Enclosures:

Supplemental Declaration and Power of Attorney for Klaus Frueh  
Exhibit 1: "Mechanism of Paclitaxel Activity in Kaposi's Sarcoma,"  
Sgadari et al., in *Journal of Immunology*, 2000, **165**: 509-517

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